IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2113 OF 2004,
CRIMINAL APPLICATION NO.2115 OF 2004
AND
CRIMINAL APPLICATION NO.2117 OF 2004

Rajaram Vishwanath Surkule ...Applicant

Vs.

The State of Maharashtra & Anr. ...Respondents

Shri. H.V. Kode for the Applicant.
Shri. R.Y. Mirza A.P.P.for the Respondent No.1.
Shri. D.S. Nirgudkar for the Respondent No.2.

CORAM : A. S. OKA, J.
DATED : JULY 01, 2005.

P.C.:
1. Heard Advocate appearing for the Applicant, learned A.P.P. for the Respondent No.1 and the learned Advocate appearing for the Respondent No.2.

2. The Advocates appearing for the Applicant and the Respondent No.2 stated that the Applicant and the Respondent No.2 are personally present in this Court and they stated that in view of the payment of sum of Rs.62,000/- in cash received by the Respondent No.2 from the Applicant the offence punishable under section 138 of the Negotiable Instruments Act, 1881 be compounded. They have filed consent terms which are duly signed by the Applicant and the Respondent No.2 as well as their respective Advocates.

3. Under Section 147 of the said Act of 1881 any offence punishable under the said Act of 1881 is now made compoundable.

4. As the Applicant who is the Accused and the Respondent No.2 who is the original Complainant in all the three cases have stated that the entire dispute has been resolved amicably and therefore, the offence should be compounded, a case is made out for compounding the offences and for quashing and setting aside the conviction and sentence against the Applicant.

5. In view of the compounding of the offence involved in these three Criminal Applications, the conviction and sentence of the Applicant in all the three cases is quashed and set aside and the Applicant stands acquitted of the concerned offence.

6. All the three Criminal Applications are accordingly disposed of.

7. Parties to act upon an authenticated copy of this order.

JUDGE